

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MICHAEL REYES-VILLANUEVA,

Plaintiff,

v.

TYSON POGUE, et al.,

Defendants.

Case No. 1:24-cv-00493-JLT-EPG (PC)

ORDER DIRECTING PLAINTIFF TO FILE  
SCHEDULING AND DISCOVERY  
STATEMENT

TWENTY-ONE-DAY DEADLINE

ORDER DIRECTING CLERK OF COURT TO  
SEND PLAINTIFF COPY OF ORDER  
REQUIRING STATEMENTS FROM  
PARTIES REGARDING SCHEDULING AND  
DISCOVERY (ECF NO. 28)

On February 28, 2025, the Court issued an order requiring the parties to submit scheduling and discovery statements within thirty days. (ECF No. 28). On March 28, 2025, Defendant Tyson Pogue filed his scheduling and discovery statement.<sup>1</sup> (ECF No. 29). Plaintiff did not file a scheduling and discovery statement, and his deadline to do so has passed.

The Court will grant Plaintiff an additional twenty-one days to file his scheduling and discovery statement and will direct the Clerk of Court to send Plaintiff a copy of the order requiring statements from parties regarding scheduling and discovery. The Court notes that, if Plaintiff fails to file his statement within this twenty-one-day period, the Court may issue findings and recommendations to the assigned district judge, recommending that this action be dismissed,

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<sup>1</sup> The case is stayed as to the other Defendants in this case. (ECF No. 27).

1 without prejudice, for failure to prosecute and failure to comply with court orders.

2 Accordingly, IT IS ORDERED that:

- 3 1. Plaintiff has twenty-one days from the date of service of this order to file his  
4 scheduling and discovery statement.
- 5 2. Failure to comply with this order may result in the dismissal of this action.
- 6 3. The Clerk of Court is directed to send Plaintiff a copy of the order requiring  
7 statements from parties regarding scheduling and discovery. (ECF No. 28).

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9 IT IS SO ORDERED.

10 Dated: April 14, 2025

11 /s/ Eric P. Grogan  
12 UNITED STATES MAGISTRATE JUDGE  
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